

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**ROBERT HIVNER, JR., ET AL.,** \* Case No. 3:12-cv-1

*Plaintiffs,* \* Judge Thomas M. Rose

v. \*

**ACTIVE ELECTRIC, INC., ET AL.,** \* **ORDER**

*Defendants.* \*

\*

Plaintiffs filed a motion to conditionally certify this case as a collective action under 29 U.S.C. § 216(b). (Doc. 13.) Defendants do not contest conditional certification, and the parties have submitted an agreed draft notice and opt-in form to be distributed to potential class members. (Docs. 17, 17-1.) Based on the foregoing, the Court GRANTS the motion for conditional certification of this matter as a collective action. Defendants shall provide names, addresses, and telephone numbers for potential class members within 10 days of this order. Thereafter, Plaintiff shall issue notice to the proposed class members, who will have 45-days from the date of mailing to postmark their executed opt-in forms.

IT IS SO ORDERED.

December 3, 2012 s/Thomas M. Rose

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JUDGE, UNITED STATES DISTRICT COURT